



**Michael O. Leavitt**  
Governor  
**Olene S. Walker**  
Lieutenant Governor

# STATE OF UTAH

## UTAH STATE TAX COMMISSION

210 North 1950 West Salt Lake City, Utah 84134

**Pam Hendrickson**, Commission Chair  
**R. Bruce Johnson**, Commissioner  
**Palmer DePaulis**, Commissioner  
**Marc B. Johnson**, Commissioner  
**Rodney G. Marrelli**, Executive Director

**CONTACT:** Jodi Monaco  
**TELEPHONE:** (801) 297-3910 or 1-800-662-4335 x3910  
**EMAIL:** [jmonaco@utah.gov](mailto:jmonaco@utah.gov)  
**DATE:** December 4, 2003  
**WEB:** [tax.utah.gov](http://tax.utah.gov)

### **NEWS RELEASE**

## Provo Tax Protestor Continues to Protest, Could Return to Jail

Earl Sherod, a former Provo anesthesiologist, was placed on 36 months court probation yesterday after refusing to comply with the terms of his sentencing and probation on tax evasion. Mr. Sherod was convicted in 2001 on 10 counts of felony failure to file and failure to pay income taxes. He was sentenced to repay the state of Utah over \$101,000 in back taxes, penalties, and interest after spending a year in jail. Upon his release, however, he has refused to pay and continues to cite common tax protestor rhetoric as reasons for his nonpayment.

Mr. Sherod claims to not be a resident of Utah or the United States and has not earned wages under an obscure technical definition of the word. This argument, often used by tax protestors who are misled by programs such as one titled "The Pilot Connection" who collect a fee for this and other erroneous tax law information, has never been supported in the courts.

Five Utahns who followed the direction of the Pilot Connection were recently convicted in court on federal tax evasion charges and are now serving time in prison.

Mr. Sherod's conviction was based on nonpayment of taxes for the years 1993 –1997, at which time he was a successful anesthesiologist in the Provo area. If Mr. Sherod continues to refuse to pay the tax liability, he could be sentenced to additional jail time.

By law, defendants in tax cases can be charged with second degree felonies, for which the punishment can be up to 15 years in prison and/or third degree felonies, for which the punishment can be up to 5 years in prison. Fines can run as high as \$25,000 per count. Restitution, including tax payment and fines and penalties, community service, a jail commitment followed by a long period of probation are usual, initial results. There is no higher, non-violent level of charge under Utah law. All first degree felonies involve crimes of violence.

The Utah State Tax Commission and other investigators strive for equity in the taxation system by watching out for individuals and businesses that appear to defraud the State and other taxpayers in the State.

For more information, visit [tax.utah.gov](http://tax.utah.gov).

####